

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-04-05**

Date Published: March 31, 2005
For Work Week Commencing: April 4, 2005
Commission Meeting: April 5, 2005, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. AVISTA ENERGY, INC. N2005.3.33 (Dave)

On March 21, 2005, Avista Energy, Inc. filed an application for a natural gas supplier license pursuant to Commission rules. Staff has reviewed this application and recommends approval. Probable Motion: Approval of Avista Energy's application for a natural gas supplier license in Docket N2005.3.33.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. (4/4/05, 9:30 a.m.) – Legislative Matters – Discuss bills and other matters related to the 2005 session. (Commission Conference Room)

2. D2000.6.80 – Qwest – Discuss and act on pending revision to Exhibit A of SGAT. (4/5/05)
3. D2003.1.5, D2005.1.6 – Qwest, OrbitCom, Inc. – Discuss and act on amendment and the QPP agreement and other matters as necessary. (4/5/05)
4. Qwest Performance Assurance Plan (QPAP) Audit – Discuss and obtain any necessary Commission decision on formally joining the multi-state collaborative including any expense sharing for the Commission's participation. (4/5/05)
5. L-04.07.5-RUL – ETC Rules – Discussion, direction, action on adoption of proposed rules. (4/5/05)
6. D2004.3.46 – Energy West Montana – Review pre-hearing fact sheet and to address any questions or concerns that the Commissioners may have prior to the public hearing that is scheduled to commence on April 28, 2005 in Great Falls, MT. (4/5/05)
7. D2003.7.86 and D2004.6.96 – NorthWestern Energy QF Avoided Cost Dockets – Discussion, direction, and action on discovery dispute, other matters as necessary. (4/5/05)
8. D2002.11.140, D2003.6.66, D2004.6.68 – NorthWestern Energy Gas Trackers – Discussion, direction, and action on settlement of gas trackers and related litigation. (4/5/05)
9. Personnel – Staff Travel to the Gas Integrity Management Training in Denver, CO. (4/5/05)
10. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the Bankruptcy. (4/5/05)
11. Legislative Matters – Discuss bills and other matters related to the 2005 session. (4/5/05)
12. (4/6/05, 9:30 a.m.) – Legislative Matters – Discuss bills and other matters related to the 2005 session. (Commission Conference Room)

13. (4/7/05, 9:30 a.m.) – Legislative Matters – Discuss bills and other matters related to the 2005 session. (Commission Conference Room)
14. (4/8/05, 9:30 a.m.) – Legislative Matters – Discuss bills and other matters related to the 2005 session. (Commission Conference Room)

Other Meetings

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. City of Great Falls. N2005.3.34 (Will)

On March 21, 2005, the City of Great Falls filed an application for a license to offer and sell retail electricity supply services to residential and small commercial customers in NorthWestern Energy's service territory. City of Great Falls is currently licensed to provide electricity to select retail customers identified in its license granted September 28, 2004 in Docket No. N2004.9.150.

2. EPCOR Merchant and Capital, Inc. N2005.3.35 (Will)

On March 24, 2005, EPCOR Merchant and Capital, Inc. filed an application for a license to offer and sell retail electricity supply services to large commercial and industrial customers with average monthly loads greater than 300 KW.

3. Ronan Telephone Company D2004.2.14 (Scott)

On March 23, 2005, Ronan Telephone Company (RTC) filed compliance tariffs for Extended Area of Service (EAS). In this filing RTC also requested that

reference to 2-Party service to be eliminated, which was not part of the EAS docket. RTC no longer has any 2-party line subscribers.

4. Hot Springs Telephone Company N2005.3.43 (Scott)

On March 29, 2005, Hot Springs Telephone Company request approval of proposed tariffs incorporating an employee discount.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person interested in seeking a copy of a protective order request should contact the Commission at 406-444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2005.3.36 - Qwest Corporation and Metropolitan Telecommunications of Montana, Inc. - Application for Approval of Adoption of a Wireline Interconnection Agreement

D2005.3.37 - Qwest Corporation and Prime Time Ventures, LLC - Application for Approval of Adoption of a Wireline Interconnection Agreement

D2005.3.38 - Qwest Corporation and VCI Company - Application for Approval of Adoption of a Wireline Interconnection Agreement

D2005.3.39 - Qwest Corporation and EAcceleration Corp. - Application for Approval of Resale Agreement

D2005.3.40 - Qwest Corporation and PiperTel Communications, LLC - Application for Approval of Agreement for Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services

D2005.3.41 - Qwest Corporation and Vycera Communications, Inc. - Application for Approval of Agreement for Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services

D2005.3.42 - Qwest Corporation and Lightyear Network Solutions, LLC - Application for Approval of Agreement for Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services

N2005.3.43 - Hot Springs Telephone Company - Employee Discount Tariff Filing